



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 2404071
Applicant Name: Maria Barrientos, Barrientos, LLC for ARDA, LLC
Address of Proposal: 705 South Weller Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a six-story building with 1,200 square feet of retail and 40 apartment units above. Parking for 22 vehicles proposed in a below-grade parking garage. Project includes approximately 2,300 cubic yards of grading.
A Certificate of Approval from the Department of Neighborhoods is required.

The following approvals are required:

SEPA - Environmental Determination - (SMC 25.05)

Certificate of Approval – International District Special Review Board (SMC 23.66)

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

 ☒ DNS with conditions

 ☐ DNS involving non-exempt grading, or demolition, or
 another agency with jurisdiction.

BACKGROUND DATA

The proposal is located at the southeast corner of the intersection of 7th Avenue South and South Weller Street. The proposal is located in the International District Mixed (IDM) zone and has a 75-foot

height limit or 85 foot limit if at least 50 percent of the gross floor area comprises residential units, per SMC 23.49.208. Since the proposal meets the Code's residential criteria, an 85-foot height limit is permitted. The immediate area is marked by a variety of land uses including light industrial, warehousing, administrative offices, residential (International District Village Square, the Mosaic), and park land (International Children's Park).

With the exception of the newer residential structures, the buildings in this portion of the International District are one and two stories high and light industrial in character. Two designated City of Seattle Landmarks, the Hudson and Eastern Hotels, hotel and apartments (mixed use) respectively, are located approximately one block to the northwest.

The development area of the project consists of approximately 7,040 square feet. The site slopes approximately 10 feet from the high point at the northeast corner to the lowest elevation at the southwest corner.

Public Comments

Notice of the project was published on September 23, 2004. The required public comment period ended on October 6, 2004. DPD received two comment letters; both writers had concern about street trees and street improvements, blank facades on 7th Avenue South, and garage entrance on the street rather than the alley. Additional notice concerning the review of the project also occurred through the International Special Review Board for meetings held on June 8, 2004 and August 10, 2004.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated August 16, 2004 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- construction dust and storm water runoff,
- erosion,
- increased traffic and demand for parking from construction equipment and personnel;
- increased noise levels,
- occasional disruption of adjacent vehicular and pedestrian traffic,
- decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment;
- increased noise; and
- consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires debris to be removed from the street right-of-way, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Any conditions to be enforced during construction shall be posted at each street abutting the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions shall be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of construction.

Noise

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M. and 6:00 P.M. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only low noise impact work such as that listed below, shall be permitted on Saturdays from 9:00 A.M. to 6:00 P.M. and on Sundays from 10:00 A.M. to 6:00 P.M.:

1. Surveying and layout.
2. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct

these tasks would extend the construction schedule, thus the duration of associated noise impacts. DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction time frame if conducted during these hours.

Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence. Periodic monitoring of work activity and noise levels will be conducted by DPD Construction Inspections.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

It is estimated that 2,300 cubic yards of earth would be disturbed and/or removed as a result of this project. If material is transported to or from the site, City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from the site.

The soils report, construction plans, and shoring of excavations as needed will be reviewed by the DPD Geotechnical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation.

Grading, delivery and pouring of concrete and similar noisy activities shall be prohibited on Saturdays and Sundays. Hours on weekdays may be extended from 6:00 P.M. to 8:00 P.M. on a case by case basis. All evening work must be approved by DPD prior to each occurrence.

Construction Parking

Construction of the project is proposed to last for several months. On street parking in the vicinity is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site for the term of construction whenever possible. It is expected that all workers will be able to park on-site once the parking garage phase is completed and for the remaining duration of construction activity. To further facilitate this effort, the owner and/or responsible party shall submit a construction phase transportation plan. These conditions will be posted at the construction site for the duration of

construction activity. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA ordinance.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these include: the Stormwater, Grading and Drainage Control, the City Energy Code will require insulation for outside walls and energy efficient windows. The Land Use Code controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. A Certificate of Approval from the International District Special Review Board is required, which includes code provisions to address materials, bulk and scale and other features of the built environment. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of several long-term impacts.

Historic and Cultural Preservation

Two designated City of Seattle Landmarks, the Hudson and Eastern Hotels, hotel and apartments (mixed use) respectively, are located two blocks or approximately 550 feet to the northwest. Adverse impacts of the project on these historical resources is not anticipated nor is mitigation warranted under SEPA policies as the site is not adjacent to or across the street from any City landmark. The project site is currently developed with three residential structures. A Certificate of Approval from the Department of Neighborhoods will be required for the demolition of the three residential structures on the site.

Traffic

Heffron Transportation, Inc. submitted a Transportation Impact Analysis on August 16, 2004.

The proposed project will generate approximately 14 vehicle trips in the PM peak hour and 10 vehicle trips in the AM peak hour based upon the Institute of Transportation Engineers (ITE), 7th Edition, 2003. Trip generation for the existing uses is 1 trip in the PM peak hour and 1 trip in the PM peak hour. The increase number is very small – 13 PM Peak hour trips and 9 AM peak hour trips. The additional cars would not be expected to have a noticeable impact on traffic operations at the intersections.

Parking

The project includes 22 proposed parking spaces. Based on no minimum parking requirements for residential uses downtown and exemptions for commercial uses, the zoning code requires no parking for the proposed building. Given the building's neighborhood oriented focus, the proposed number of parking spaces should adequately address any parking needs. Furthermore, SEPA policies preclude mitigation of parking impacts in this zone if any adverse parking impacts had been identified.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non Significance. The proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21.C.030 2c.

CONDITIONS – SEPA

Prior to Issuance of a Master Use Permit

1. To ensure that the project adequately addresses the impacts of Height, Bulk and Scale on the adjacent neighborhood, additional meetings before the International District Special Review Board are required that highlight specific design solutions concerning the overall quality of materials and use of detailing at both the street level and upper portions of the façade, to ensure compatibility with surrounding buildings. These conditions may be fulfilled through the Certificate of Approval process required for new construction by the Department of Neighborhoods and the International District Special Review Board.

Prior to Issuance of any Building or Grading Permits

2. The owner(s) and/or responsible party(s) shall secure DPD Land Use Planner approval of construction phase transportation and pedestrian circulation plans. Appropriate SDOT and King County METRO participation in development of the plans shall be documented prior to DPD approval. The plans shall address the following:
 - Ingress/egress of construction equipment and trucks
 - Truck access routes, to and from the site, for the excavation and construction phases.
 - Street and sidewalk closures, including locations of re-routing pedestrian movement
 - Temporary displacement/relocation of any nearby bus stops.

During Construction

The following condition(s) are to be enforced during demolition/grading/construction and will be posted in a location on the property line that is visible and accessible to the public and construction personnel from the street right-of-way. If more than one street abuts the site, conditions will be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans (or with the demolition permit if it is issued separately). The placards will be laminated with clear plastic or other weatherproofing material and will remain in place for the duration of construction. It is the proponent's responsibility to ensure that the sub-contractors are informed of the conditions listed below:

3. Limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. Limited work on weekdays between 6:30 a.m. and 7:30 a.m. and 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m., and on Sundays between 10:00 a.m. and 6:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner. Such after-hours work is limited to emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g. planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon the owner(s) and or responsible party(s) providing at least three working days' notice to allow DPD to evaluate the request.
4. Comply with the approved construction phase transportation and pedestrian circulation plan.

Signature: (signature on file) Date: February 10, 2005
Darlene Edwards, Land Use Planner